

# STATE OF NEW YORK

3078

2019-2020 Regular Sessions

## IN SENATE

February 1, 2019

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Domestic Animal Welfare

AN ACT to amend the agriculture and markets law, in relation to requiring the installation and testing of fire protection systems at pet stores

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 407 of the agriculture and markets law is renumbered section 409 and a new section 407 is added to read as follows:

2 § 407. Fire protection requirements for pet stores. All pet dealers  
3 licensed under this article shall provide fire protection measures for  
4 every premises at which the dealer houses animals in accordance with the  
5 provisions of this section.

6 1. Fire protection systems. (a) Approved devices, equipment and  
7 systems or combinations of systems used to detect a fire, activate a  
8 fire alarm, extinguish or control a fire, control or manage smoke and  
9 products of a fire or any combination thereof shall be provided in all  
10 retail and wholesale establishments utilized by a pet dealer to perma-  
11 nently or temporarily house, sell or trade animals. Fire protection  
12 systems shall be installed, inspected, tested and maintained per appro-  
13 priate codes and referenced standards herein: if in the five boroughs of  
14 the city of New York per New York city building code and New York city  
15 fire code or outside of the five boroughs of the city of New York per  
16 the New York state uniform fire prevention and building code and the  
17 state energy conservation construction code for the correct occupancy  
18 type and any approved "more restrictive local standards".

19 (b) If any fire protection system becomes inoperative at any time, the  
20 pet dealer shall take immediate action to notify the code enforcement  
21 office and have the system restored to proper working order.  
22

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 2. Application. (a) The provisions of this section shall apply to  
2 existing buildings and to buildings hereafter erected but shall not  
3 include buildings zoned residential.

4 (b) For the purposes of this section,

5 (1) "pet dealer" shall have the same meaning as "pet dealer" as  
6 defined in subdivision four of section four hundred of this article, and

7 (2) "animal" shall have the same meaning as "companion animal" as  
8 defined in subdivision five of section three hundred fifty of this chap-  
9 ter.

10 § 2. The commissioner of agriculture and markets shall promulgate  
11 rules, regulations and standards as he or she deems necessary to imple-  
12 ment the provisions of this act on or before its effective date and, in  
13 conjunction with the appropriate agency, whether the New York state  
14 department of state code enforcement and administration division, New  
15 York city department of buildings or New York city fire department,  
16 shall establish standards for the installation, operation and inspection  
17 of fire protection systems installed pursuant to the provisions of this  
18 act.

19 § 3. This act shall take effect January 1, 2020, except that buildings  
20 in existence or new construction with presently approved plans as of the  
21 effective date of this act shall have until January 1, 2022 to comply  
22 with the provisions of this act.